

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 32 through 42 are pending, with Claims 32, 35, 36, 38, 39, and 40 being independent. Claims 32, 35, 36, 38, 39, 41, and 42 have been amended.

Claims 32 through 40 were variously rejected under 35 U.S.C. § 103 over U.S. Patent Nos. 5,347,545 (Ishii, et al.), 6,192,230 B1 (van Bokhorst, et al.), and 6,571,103 B1 (Novakov). All rejections are respectfully traversed.

Claims 32, 35, 38, and 39 variously recite, inter alia, executing a predetermined negotiation with the first device in order to prevent transiting from a present mode to a low power consumption mode and prevent prohibiting any transmission even though the first device receives the low power consumption mode transit request (in combination with broadcasting the request to a plurality of devices including the first device after the negotiation (Claims 32 and 38) or transmitting the request to a plurality of devices including the first device after the negotiation (Claims 35 and 39)).

Claims 36 and 40 variously recite, inter alia, transiting the communication apparatus from a present mode to a low consumption power mode and controlling the communication apparatus to prohibit any transmission according to presence or absence of execution of the predetermined negotiation with the device by the negotiation.

However, Applicant respectfully submits that none of Ishii, et al., van Bokhorst, et al., and Novakov, even in the proposed combinations, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed combinations of claimed features as recited, inter alia, in Claims 32, 35, 36, 38, 39, and 40. It is further

respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and reduce the number of issues, and is believed to clearly place this application in condition for allowance. Furthermore, Applicant respectfully submits that a full appreciation of these amendments will not require undue time or effort given the Examiner's familiarity with this application. Moreover, this Amendment was not earlier presented because Applicant earnestly believed that the prior Amendment placed the subject application in condition for allowance. Accordingly, entry of this Amendment under 37 C.F.R. § 1.116 is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C., office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Daniel S. Glueck
Attorney for Applicant
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

DSG/cmg

DC_MAIN 225599v1